

# SENATE JOURNAL

## OF THE

# IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-THIRD LEGISLATURE

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THIRTY-SECOND LEGISLATIVE DAY  
THURSDAY, FEBRUARY 11, 2016

Senate Chamber

President Little called the Senate to order at 11 a.m.

Roll call showed all members present except Senator McKenzie, absent and formally excused by the Chair; and Senator Brackett, absent and excused.

Prayer was offered by Father John Worster.

The Pledge of Allegiance was led by Caleb Richardson, Page.

The Senate advanced to the Third Order of Business.

### Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 10, 2016, was read and approved as corrected.

LODGE, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifth Order of Business.

### Petitions, Resolutions, and Memorials

Senator Brackett was recorded present at this order of business.

### SCR 138

#### BY RESOURCES AND ENVIRONMENT COMMITTEE

##### A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE SUPPORTING THE SETTLEMENT AGREEMENT ENTERED INTO ON JUNE 30, 2015, BETWEEN PARTICIPATING MEMBERS OF THE SURFACE WATER COALITION AND PARTICIPATING MEMBERS OF THE IDAHO GROUND WATER APPROPRIATORS, INC. TO RESOLVE LITIGATION, AVOID CURTAILMENT, MAINTAIN SUSTAINABLE GROUND AND SURFACE WATER SUPPLIES ON THE ESPA AND MINIMIZE HARM TO IDAHO'S ECONOMY, SUPPORTING STATE MANAGEMENT TO ENSURE ESPA WATER SUPPLY ISSUES ARE TIMELY ADDRESSED, AND SUPPORTING THE GOAL OF STABILIZING AND REVERSING THE TREND OF DECLINING ESPA WATER LEVELS IN THE EASTERN SNAKE PLAIN AQUIFER.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the Eastern Snake Plain Aquifer (ESPA) supplies ground water to approximately one million irrigated acres and to numerous cities, businesses, dairies, factories and homes; and

WHEREAS, the ESPA is hydraulically connected to the Snake River and discharges to the Snake River via tributary springs, which supply surface water for multiple beneficial uses, including aquaculture, hydropower, and the irrigation of approximately one million acres; and

WHEREAS, since 1952 the total volume of water stored in the ESPA has decreased due to increasing direct diversions of ground water, increasingly efficient surface water irrigation practices, and other factors; and

WHEREAS, discharge from the ESPA to the Snake River is the most significant contribution of water to the Snake River between Milner Dam and the Murphy Gage; and

WHEREAS, Policy 4A of the 2012 Idaho State Water Plan requires that the Murphy minimum stream flow water right be administered in priority; and

WHEREAS, the declines in ESPA storage content have decreased surface water supplies available for irrigation, aquaculture, municipal, industrial and other uses on land overlying the Eastern Snake Plain, resulting in multiple water delivery calls, protracted litigation, and curtailment notices issued by the Idaho Department of Water Resources; and

WHEREAS, current ESPA water levels and total storage content, after more than six decades of decline, are inadequate to provide a reasonably safe supply of water for sustainable surface and ground water irrigation, hydropower, aquaculture, municipal and industrial uses, the curtailment of which would cause severe economic harm to the State of Idaho; and

WHEREAS, if the Thousand Springs discharges continue to decline, junior water rights will be required to curtail to sustain the Murphy minimum stream flow; and

WHEREAS, on June 30, 2015, a historic settlement agreement was entered into between the following surface water right holders: A & B Irrigation District, American Falls Reservoir District #2, Burley Irrigation District, Milner Irrigation District, Minidoka Irrigation District, North Side Canal Company and Twin Falls Canal Company, collectively known as the Surface Water Coalition (SWC); and the following ground water right holders: Aberdeen American Falls Ground Water District, Bingham Ground Water District, Bonneville-Jefferson Ground Water District, Carey Valley Ground Water District, North Side Ground Water District, Jefferson-Clark Ground Water District, Madison Ground Water District, Magic Valley Ground Water District, Fremont-Madison Irrigation District, Anheuser-Busch, United Water, Glanbia Foods, City of Blackfoot, City of American Falls, City of Jerome, City of Rupert, City of Heyburn, City of Paul, City of Chubbuck and City of Hazelton, collectively known as the Idaho Ground Water Appropriators, Inc. (IGWA); for the purpose of resolving pending water delivery calls and to provide for ongoing management of the ESPA; and

WHEREAS, the IGWA-SWC settlement agreement seeks to stabilize and ultimately reverse the trend of declining ESPA water levels in the ESPA; and

WHEREAS, the participating ground water users committed to reduce ground water diversions from the ESPA necessary to meet the ground water level goal and benchmarks identified in the settlement agreement; and

WHEREAS, implementation of the settlement agreement is expected to lead to a sustainable water supply and minimize harm to Idaho's economy arising from water supply shortages.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-third Idaho Legislature, the Senate and the House of Representatives concurring therein,

that the State of Idaho supports the settlement agreement entered into on June 30, 2015, between participating members of the Surface Water Coalition and participating members of the Idaho Ground Water Appropriators, Inc. to resolve litigation, avoid curtailment, maintain sustainable ground and surface water supplies on the ESPA and minimize harm to Idaho's economy, and further supports state management to ensure ESPA water supply issues are timely addressed.

BE IT FURTHER RESOLVED that the State of Idaho supports the goal of stabilizing and reversing the trend of declining ESPA water levels in the Eastern Snake Plain Aquifer.

#### **SJM 104**

#### **BY RESOURCES AND ENVIRONMENT COMMITTEE**

##### **A JOINT MEMORIAL**

TO THE PRESIDENT OF THE UNITED STATES, THE SECRETARY OF THE ARMY, THE SECRETARY OF THE INTERIOR, THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES OF CONGRESS, AND THE CONGRESSIONAL DELEGATION REPRESENTING THE STATE OF IDAHO IN THE CONGRESS OF THE UNITED STATES.

We, your Memorialists, the Senate and the House of Representatives of the State of Idaho assembled in the Second Regular Session of the Sixty-third Idaho Legislature, do hereby respectfully represent that:

WHEREAS, maintaining a healthy suite of economic, environmental and social ecosystem services in aquatic systems is integral to the quality of life in the State of Idaho; and

WHEREAS, healthy aquatic habitats provide clean drinking water, flood control, transportation, recreation, purification of human and industrial wastes, power generation, habitat for native plants and animals, production of fish and other foods, marketable goods and cultural benefits; and

WHEREAS, Dreissenid mussels, specifically quagga mussels (*Dreissena rostriformis bugensis*) and zebra mussels (*Dreissena polymorpha*), are aquatic invasive species that cause irreparable ecological damage to many waters in the United States; and

WHEREAS, Dreissenids have not yet been detected in the Pacific Northwest. The estimated annual cost to address established populations of Dreissenids in the Pacific Northwest Economic Region is almost \$0.5 billion annually; and

WHEREAS, the Water Resources Reform and Development Act was signed in June 2014. Section 1039 of the act authorizes \$20 million for Columbia River Basin watercraft inspection stations to prevent introduction of Dreissenid mussels and other aquatic invasive species through the Secretary of the Army; and

WHEREAS, the fiscal year 2016 budget for the United States Army Corps of Engineers includes \$4 million in funding for watercraft inspection stations as authorized by the Water Resources Reform and Development Act, and the State of Idaho and Pacific Northwest Economic Region are grateful for the Corps' recognition of the severity of the threat of aquatic invasive species to the region and dedication to assist the region in enhancing prevention efforts.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-third Idaho Legislature, the Senate and the House of Representatives concurring therein, that we respectfully request that Congress ensure the continued appropriation of these funds in the fiscal year 2017 budget to significantly enhance aquatic invasive species prevention efforts and to implement the intent of the Water Resources Reform and Development Act.

BE IT FURTHER RESOLVED that the Secretary of the Senate be, and she is hereby authorized and directed to forward

a copy of this Memorial to the President of the United States, the Secretary of the Army, the Secretary of the Interior, the President of the Senate and the Speaker of the House of Representatives of Congress, and the congressional delegation representing the State of Idaho in the Congress of the United States.

[SJM 104](#) and [SCR 138](#) were introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

#### **Reports of Standing Committees**

February 11, 2016

The JUDICIARY AND RULES Committee reports that [S 1282](#), [S 1283](#), [S 1284](#), [S 1285](#), [S 1286](#), [S 1287](#), [S 1288](#), [S 1289](#), [S 1290](#), [S 1291](#), [S 1292](#), [S 1293](#), [S 1294](#), [S 1295](#), [S 1296](#), [S 1297](#), [S 1298](#), and [S 1299](#) have been correctly printed.

LODGE, Chairman

[S 1282](#) and [S 1283](#) were referred to the Transportation Committee.

[S 1284](#), [S 1285](#), [S 1286](#), [S 1287](#), and [S 1288](#) were referred to the Commerce and Human Resources Committee.

[S 1289](#), [S 1290](#), [S 1291](#), [S 1292](#), and [S 1293](#) were referred to the Education Committee.

[S 1294](#), [S 1295](#), and [S 1296](#) were referred to the Health and Welfare Committee.

[S 1297](#), [S 1298](#), and [S 1299](#) were referred to the State Affairs Committee.

February 10, 2016

The STATE AFFAIRS Committee reports it has had under consideration the Gubernatorial appointments listed below and the Committee recommends that said appointments be confirmed by the Senate:

Joe B. McNeal to the Idaho Commission on Human Rights, term to expire July 1, 2018.

Kevin Coyne Settles to the Idaho Commission on Human Rights, term to expire July 1, 2018.

Rayelle Anderson to the Bingo-Raffle Advisory Board, term to expire January 7, 2019.

MCKENZIE, Chairman

The Gubernatorial appointments were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

February 10, 2016

The RESOURCES AND ENVIRONMENT Committee reports out [S 1222](#), [S 1223](#), [S 1224](#), [S 1225](#), and [S 1244](#) with the recommendation that they do pass.

BAIR, Chairman

[S 1222](#), [S 1223](#), [S 1224](#), [S 1225](#), and [S 1244](#) were filed for second reading.

February 11, 2016

The AGRICULTURAL AFFAIRS Committee reports out [S 1214](#) and [S 1258](#) with the recommendation that they do pass.

RICE, Chairman

[S 1214](#) and [S 1258](#) were filed for second reading.

February 11, 2016

The AGRICULTURAL AFFAIRS Committee reports it has had under consideration the Gubernatorial appointment listed below and the Committee recommends that said appointment be confirmed by the Senate:

Glen R. Gier to the State Soil and Water Conservation Commission, term to expire July 1, 2020.

RICE, Chairman

The Gubernatorial appointment was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

February 10, 2016

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Janice B. Vassar of Lewiston, Idaho, was reappointed as a member of the Idaho Transportation Board to serve a term commencing February 1, 2016, and expiring January 31, 2022.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*  
/s/ C.L. "Butch" Otter  
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the Transportation Committee.

February 10, 2016

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Daniel Scott of McCall, Idaho, was reappointed as a member of the Aeronautics Advisory Board to serve a term commencing January 31, 2016, and expiring January 31, 2021.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*  
/s/ C.L. "Butch" Otter  
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the Transportation Committee.

The Senate advanced to the Ninth Order of Business.

## Messages from the House

February 10, 2016

Dear Mr. President:

I transmit herewith [H 381](#), [H 382](#), [H 417](#), [H 389](#), [H 390](#), [H 428](#), [H 445](#), and [H 446](#), which have passed the House.

ALEXANDER, Chief Clerk

[H 381](#), [H 382](#), [H 417](#), [H 389](#), [H 390](#), [H 428](#), [H 445](#), and [H 446](#) were filed for first reading.

February 10, 2016

Dear Mr. President:

I transmit herewith Enrolled [H 384](#) and [H 344](#) for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled [H 384](#) and [H 344](#) and ordered them returned to the House.

The Senate advanced to the Tenth Order of Business.

## Motions and Resolutions

The President announced that the State Affairs Committee report relative to the Gubernatorial reappointment of Charles L. Winder was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Lakey, seconded by Senator Stennett, the Gubernatorial reappointment of Charles L. Winder as a member of the Idaho Endowment Fund Investment Board was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the Education Committee report relative to the Gubernatorial appointment of Linda Clark was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Martin, seconded by Senator Ward-Engelking, the Gubernatorial appointment of Linda Clark as a member of the State Board of Education was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The Senate advanced to the Eleventh Order of Business.

## Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

### S 1300

### BY JUDICIARY AND RULES COMMITTEE

### AN ACT

RELATING TO ESTATES; AMENDING SECTION 15-2-802, IDAHO CODE, TO CLARIFY PERSONS WHO DO NOT QUALIFY AS A SURVIVING SPOUSE; AND AMENDING

CHAPTER 2, TITLE 15, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 15-2-804, IDAHO CODE, PROVIDING FOR THE REVOCATION OF CERTAIN PROBATE AND NONPROBATE TRANSFERS BY DIVORCE.

**S 1301**

**BY JUDICIARY AND RULES COMMITTEE**

AN ACT

RELATING TO COMMUNITY PROPERTY; AMENDING CHAPTER 6, TITLE 15, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 15-6-114, IDAHO CODE, TO CLARIFY THE CHARACTERIZATION OF PROPERTY AS COMMUNITY PROPERTY OR JOINT PROPERTY.

**S 1302**

**BY JUDICIARY AND RULES COMMITTEE**

AN ACT

RELATING TO ESTATES; AMENDING SECTION 15-2-203, IDAHO CODE, TO REMOVE REFERENCE TO A FAMILY ALLOWANCE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 15-2-206, IDAHO CODE, TO REMOVE REFERENCE TO A FAMILY ALLOWANCE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 15-2-208, IDAHO CODE, TO REMOVE REFERENCE TO A FAMILY ALLOWANCE; AMENDING SECTION 15-3-906, IDAHO CODE, TO REMOVE REFERENCE TO A FAMILY ALLOWANCE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 15-3-1004, IDAHO CODE, TO REMOVE REFERENCE TO A FAMILY ALLOWANCE AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 68-10-201, IDAHO CODE, TO REMOVE REFERENCE TO A FAMILY ALLOWANCE.

**S 1303**

**BY JUDICIARY AND RULES COMMITTEE**

AN ACT

RELATING TO THE REVISED UNIFORM FIDUCIARY ACCESS TO DIGITAL ASSETS ACT; AMENDING TITLE 15, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 14, TITLE 15, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO DEFINE TERMS, TO PROVIDE APPLICABILITY, TO PROVIDE FOR AN INDIVIDUAL'S DIRECTION FOR DISCLOSURE OF DIGITAL ASSETS, TO PRESERVE RIGHTS IN A TERMS OF SERVICE AGREEMENT, TO PROVIDE A PROCEDURE FOR DISCLOSING DIGITAL ASSETS, TO AUTHORIZE DISCLOSURE OF THE CONTENT OF ELECTRONIC COMMUNICATIONS OF A DECEASED USER, TO AUTHORIZE DISCLOSURE OF OTHER DIGITAL ASSETS OF A DECEASED USER, TO AUTHORIZE DISCLOSURE OF THE CONTENT OF ELECTRONIC COMMUNICATIONS OF A PRINCIPAL, TO AUTHORIZE DISCLOSURE OF OTHER DIGITAL ASSETS OF A PRINCIPAL, TO AUTHORIZE DISCLOSURE OF DIGITAL ASSETS HELD IN TRUST WHEN A TRUSTEE IS THE ORIGINAL USER, TO AUTHORIZE DISCLOSURE OF CONTENT OF ELECTRONIC COMMUNICATIONS HELD IN TRUST WHEN THE TRUSTEE IS NOT AN ORIGINAL USER, TO AUTHORIZE DISCLOSURE OF OTHER DIGITAL ASSETS HELD IN TRUST WHEN A TRUSTEE IS NOT AN ORIGINAL USER, TO AUTHORIZE DISCLOSURE OF DIGITAL ASSETS TO A CONSERVATOR OF A PROTECTED PERSON, TO PROVIDE FOR FIDUCIARY DUTY AND AUTHORITY, TO PROVIDE FOR CUSTODIAN COMPLIANCE AND IMMUNITY, TO PROVIDE FOR

UNIFORMITY OF APPLICATION AND CONSTRUCTION, TO PROVIDE FOR RELATION TO THE ELECTRONIC SIGNATURES IN GLOBAL AND NATIONAL COMMERCE ACT AND TO PROVIDE SEVERABILITY.

**S 1304**

**BY RESOURCES AND ENVIRONMENT COMMITTEE**

AN ACT

RELATING TO IRRIGATION DISTRICTS; AMENDING SECTION 43-314, IDAHO CODE, TO PROVIDE THAT NO ELECTION AND NO CONFIRMATION PROCEEDINGS SHALL BE REQUIRED WHEN THE CONTRACT FOR CONSTRUCTION OF A HYDROELECTRIC PLANT BY THE DISTRICT DOES NOT INVOLVE QUESTIONS OF INDEBTEDNESS INCURRED BY THE DISTRICT.

**S 1305**

**BY RESOURCES AND ENVIRONMENT COMMITTEE**

AN ACT

RELATING TO FISH AND GAME; AMENDING SECTION 36-104, IDAHO CODE, TO REVISE PROVISIONS REGARDING CONTROLLED HUNTS; AND AMENDING CHAPTER 1, TITLE 36, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 36-104A, IDAHO CODE, TO PROVIDE FOR CONTRACTS WITH PRIVATE ENTITIES TO CONDUCT DRAWINGS FOR CONTROLLED HUNT PERMITS, TO PROVIDE A PROCEDURE AND TO PROVIDE FOR RULEMAKING.

**S 1306**

**BY RESOURCES AND ENVIRONMENT COMMITTEE**

AN ACT

RELATING TO OIL AND GAS; AMENDING SECTION 47-317, IDAHO CODE, TO REMOVE PROVISIONS REGARDING EMPLOYMENT OF PERSONNEL AND CONTRACTING FOR SERVICES, TO PROVIDE FOR THE AUTHORITY OF THE DEPARTMENT OF LANDS, TO REMOVE CERTAIN PROVISIONS REGARDING HEARINGS, TO REMOVE PROVISIONS RELATING TO THE DESIGNATION OF HEARING OFFICERS AND CONTESTED HEARINGS AND TO PROVIDE THAT THE COMMISSION SHALL FOLLOW CERTAIN PROCEDURES; AMENDING SECTION 47-318, IDAHO CODE, TO REVISE DEFINITIONS AND TO DEFINE TERMS; AMENDING SECTION 47-320, IDAHO CODE, TO PROVIDE A PROCEDURE REGARDING APPLICATIONS FOR PERMITS OR CERTAIN AUTHORIZATIONS TO DRILL OR TREAT WELLS AND TO PROVIDE THAT THE DEPARTMENT OF LANDS SHALL COLLECT SPECIFIED FEES; AMENDING SECTION 47-321, IDAHO CODE, TO PROVIDE THAT THE DEPARTMENT SHALL HAVE SPECIFIED RESPONSIBILITIES ASSOCIATED WITH SPACING UNITS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 47-322, IDAHO CODE, TO PROVIDE THAT THE DEPARTMENT SHALL HAVE SPECIFIED RESPONSIBILITIES REGARDING INTEGRATION, TO REVISE PROVISIONS REGARDING INTEGRATION, TO PROVIDE FOR THE DESIGNATION OF OPERATORS FOR INTEGRATED UNITS, TO PROVIDE FOR OPTIONS TO BE SET FORTH IN INTEGRATION ORDERS, TO PROVIDE FOR APPLICATIONS FOR ORDERS OF INTEGRATION, TO PROVIDE FOR NOTICE TO CERTAIN OWNERS, TO PROVIDE FOR THE CONFIDENTIALITY OF CERTAIN INFORMATION AND TO PROVIDE THAT APPLICATIONS SHALL BE SUBJECT TO SPECIFIED PROCEDURES; AMENDING SECTION 47-323, IDAHO

CODE, TO PROVIDE THAT THE DEPARTMENT SHALL HAVE SPECIFIED RESPONSIBILITIES REGARDING UNIT OPERATIONS AND TO REVISE PROVISIONS REGARDING APPLICATIONS FOR UNIT OPERATIONS; AMENDING SECTION 47-324, IDAHO CODE, TO REVISE AND TO SET FORTH PROVISIONS AND PROCEDURES ASSOCIATED WITH RULEMAKING, COMPLAINTS, APPLICATION FOR ORDERS, PETITIONS, ORDERS AND APPEALS AND TO PROVIDE FOR JUDICIAL REVIEW OF ACTIONS; AND DECLARING AN EMERGENCY.

**S 1307**

**BY EDUCATION COMMITTEE**

**AN ACT**

RELATING TO EDUCATION; AMENDING SECTION 33-501, IDAHO CODE, TO REVISE CERTAIN DATES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-503, IDAHO CODE, TO REVISE THE ELECTION DATE FOR SCHOOL DISTRICT TRUSTEES AND TO PROVIDE A TERM EXPIRATION DATE FOR INCUMBENT TRUSTEES; AMENDING SECTION 33-505, IDAHO CODE, TO REVISE A CERTAIN DATE AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 33-510, IDAHO CODE, TO REVISE A CERTAIN DATE AND TO MAKE TECHNICAL CORRECTIONS.

**S 1308**

**BY EDUCATION COMMITTEE**

**AN ACT**

RELATING TO EDUCATION; AMENDING SECTION 33-405, IDAHO CODE, TO REMOVE A CERTAIN QUALIFICATION REQUIREMENT OF SCHOOL ELECTORS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-501, IDAHO CODE, TO REMOVE REFERENCE TO ELECTED AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 33-503, IDAHO CODE, TO REVISE PROVISIONS REGARDING ELECTIONS OF TRUSTEES.

**S 1309**

**BY AGRICULTURAL AFFAIRS COMMITTEE**

**AN ACT**

RELATING TO ANIMALS; AMENDING SECTION 25-3520A, IDAHO CODE, TO PROVIDE THAT THE COURT MAY ORDER PRESENTENCE PSYCHOLOGICAL EVALUATIONS PRIOR TO SENTENCING FOR VIOLATIONS OF SPECIFIED LAW.

S 1300, S 1301, S 1302, S 1303, S 1304, S 1305, S 1306, S 1307, S 1308, and S 1309 were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 381, H 382, and H 417, by Agricultural Affairs Committee, were introduced, read the first time at length, and referred to the Agricultural Affairs Committee.

H 389 and H 390, by State Affairs Committee, were introduced, read the first time at length, and referred to the State Affairs Committee.

H 428, by Education Committee, was introduced, read the first time at length, and referred to the Education Committee.

H 445 and H 446, by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

The Senate advanced to the Twelfth Order of Business.

**Second Reading of Bills**

S 1246, S 1261, and S 1263, by Transportation Committee, were read the second time at length and filed for third reading.

S 1270 and S 1271, by Finance Committee, were read the second time at length and filed for third reading.

H 352, H 359, H 360, and H 376, by Revenue and Taxation Committee, were read the second time at length and filed for third reading.

S 1232, S 1249, and S 1248, by Education Committee, were read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

**Third Reading of Bills**

S 1259 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lee arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—McKenzie. Total - 1.

Total - 35.

Whereupon the President declared S 1259 passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

**Miscellaneous Business**

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:35 a.m. until the hour of 10:45 a.m., Friday, February 12, 2016.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary